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FEE TRANSMITTAL FOR FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant Claims small entity status: See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$ 110.00)

Complete if Known

| | |
|----------------------|-----------------------|
| Application Number | 10/656,239 |
| Filing Date | September 8, 2003 |
| First Named Inventor | Hisashi OHTANI et al. |
| Examiner Name | D. Le |
| Group Art Unit | 2818 |
| Attorney Docket No. | 0756-7198 |

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number

50-2280

Deposit Account Name

Robinson Intellectual Property Law Office

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 and credit overpayments

Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed:

Check Credit Card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code | Small Entity Fee Code | Fee Description | Fee Paid |
|-----------------------|-----------------------|--------------------------------|----------|
| 1001 | 790 | 2001 395 Utility filing fee | |
| 1002 | 350 | 2002 175 Design filing fee | |
| 1003 | 550 | 2003 275 Plant filing fee | |
| 1004 | 790 | 2004 395 Reissue filing fee | |
| 1005 | 160 | 2005 80 Provisional filing fee | |

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|--|----------|
| | -20** | = <input type="text"/> X \$18 = <input type="text"/> | |
| Independent Claims | -3** | = <input type="text"/> X \$88 = <input type="text"/> | |
| Multiple Dependent | | = <input type="text"/> | |

| Large Entity Fee Code | Small Entity Fee Code | Fee Description (\$) |
|-----------------------|-----------------------|---|
| 1202 | 18 | 2202 9 Claims in excess of 20 |
| 1201 | 88 | 2201 44 Independent claims in excess of 3 |
| 1203 | 300 | 2203 150 Multiple dependent claim, if not paid |
| 1204 | 88 | 2204 44 ** Reissue independent claims over original patent |
| 1205 | 18 | 2205 9 ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

| FEE CALCULATION (continued) | | | |
|--|-----------------------|-----------------------|--|
| 3. ADDITIONAL FEES | | | |
| Fee Code | Large Entity Fee (\$) | Small Entity Fee (\$) | Fee Description |
| 1051 | 130 | 2051 65 | Surcharge - late filing fee or oath |
| 1052 | 50 | 2052 25 | Surcharge - late provisional filing fee or cover sheet |
| 1053 | 130 | 1053 130 | Non-English specification |
| 1812 | 2,520 | 1812 2,520 | For filing a request for <i>ex parte</i> reexamination |
| 1804 | 920* | 1804 920* | Requesting publication of SIR prior to Examiner action |
| 1805 | 1,840* | 1805 1,840* | Requesting publication of SIR after Examiner action |
| 1251 | 110 | 2251 55 | Extension for reply within first month |
| 1252 | 430 | 2252 215 | Extension for reply within second month |
| 1253 | 980 | 2253 490 | Extension for reply within third month |
| 1254 | 1,530 | 2254 765 | Extension for reply within fourth month |
| 1255 | 2,080 | 2255 1040 | Extension for reply within fifth month |
| 1401 | 340 | 2401 170 | Notice of Appeal |
| 1402 | 340 | 2402 170 | Filing a brief in support of an appeal |
| 1403 | 300 | 2403 150 | Request for oral hearing |
| 1451 | 1,510 | 1451 1,510 | Petition to institute a public use proceeding |
| 1452 | 110 | 2452 55 | Petition to revive - unavoidable |
| 1453 | 1,370 | 2453 685 | Petition to revive - unintentional |
| 1501 | 1,370 | 2501 685 | Utility issue fee (or reissue) |
| 1502 | 490 | 2502 245 | Design issue fee |
| 1503 | 660 | 2503 330 | Plant issue fee |
| 1460 | 130 | 1460 130 | Petitions to the Commissioner |
| 1807 | 50 | 1807 50 | Processing fee under 37 CR 1.17(q) |
| 1806 | 180 | 1806 180 | Submission of Information Disclosure Stmt |
| 8021 | 40 | 8021 40 | Recording each patent assignment per property (times number of properties) |
| 1809 | 790 | 2809 395 | Filing a submission after final rejection (37 CFR § 1.129(a)) |
| 1810 | 790 | 2810 395 | For each additional invention to be examined (37 CFR § 1.29(b)) |
| 1801 | 790 | 2801 395 | Request for Continued Examination (RCE) |
| 1802 | 900 | 1802 900 | Request for expedited examination of a design application |
| Other fee (specify) <u>Terminal Disclaimer</u> | | | \$110.00 |
| * Reduced by Basic Filing Fee Paid | | | SUBTOTAL (3) (\$ 110.00) |

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 11-26-04 Red J. Robinson

SUBMITTED BY

Complete if applicable

| | | | | | |
|-------------------|------------------|-----------------------------------|--------|-----------|----------------|
| Name (Print/Type) | Eric J. Robinson | Registration No. (Attorney/Agent) | 38,285 | Telephone | (571) 434-6789 |
| Signature | | | | Date | 10-26-04 |



Docket No. 0756-7198

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT application of)
Hisashi OHTANI et al.)
Serial No. 10/656,239) Art Unit: 2818
Filed: September 8, 2003) Examiner: D. Le
For: SEMICONDUCTOR DEVICE AND FABRICATING METHOD
THEREOF)

11/30/2004 SMINASS1 00000003 10656239

01 FC:1814 110.00 OP

TERMINAL DISCLAIMER

Honorable Assistant Commissioner for Patents

Washington, D. C. 20231

Sir:

I, Dr. Shunpei Yamazaki, having a place of business at Semiconductor Energy Laboratory Co., Ltd., 398, Hase, Atsugi-shi, Kanagawa-ken 243-0036 Japan, state that I am authorized to sign on behalf of the assignee of this invention and that the

Assignment referred to below has been reviewed and certify that, to the best of my knowledge and belief, the entire right, title and interest in the above-identified application is in the name of Semiconductor Energy Laboratory Co., Ltd. by virtue of an Assignment recorded in the U.S. Patent and Trademark Office at Reel 9502, Frame 0416-0418.

Semiconductor Energy Laboratory Co., Ltd. hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,465,288.

Docket No. 0756-7198

Semiconductor Energy Laboratory Co., Ltd. hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and prior Patent No. 6,465,288 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Semiconductor Energy Laboratory Co., Ltd. does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is

found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 35 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

11/12/2004

Date



Name: Shunpei Yamazaki

Title: President

Company Name: Semiconductor

Energy

Laboratory Co., Ltd.